

--CROSS-REFERENCE TO RELATED APPLICATION

~~is a continuation-in-part and~~

The present application claims the benefit of United States Application Serial No. 09/698,623, filed October 27, 2000, and United States Application Serial No. 09/181,353, filed on October 28, 1998, now U.S. Patent No. 6,174,311, and to U.S. Patent Application Serial No. 09/722,205, filed November 25, 2000, which in turn claims priority under 35 U.S.C. §119 to PCT Application Serial No. US98/17769, filed August 27, 1988, which are hereby incorporated by reference in their entirety.--

Please replace the paragraph on page 17, lines 19-24 with the following paragraph:

--The gripping head 152 includes at least one implant engaging structure. Preferably gripping head includes taper ends 166 and 168 that engage in corresponding recesses in the implant. The projections are provided to control lateral and vertical motion as the implant is impacted into the intervertebral space. Optimally, gripping head also includes a surface that can be used to impact or drive the implant in the preformed cavity.--

Please see page 17, lines 28-31 for support for the amendment.

Please replace the paragraph on page 27, lines 15-24 with the following paragraph:

--Additional cutting instruments are provided for use with the present invention. For example, shaver 280 illustrated in FIGS. 26 and 26a is provided with a cutting head 286, shaft 284, and handle 282. Handle 282 includes a receptacle 283 or attachment of a slap hammer. Cutting head 286 includes upper shaving blade 288 and lower shaving blade 290 provided between first arm 287 and second arm 289. Upper and lower shaving blade 288 and 290 are orthogonal to first and second arms 287 and 289 such that when the upper or lower shaving blade 288 or 290 or both are raked across tissue surfaces, the blades cut or scrape away a portion of tissue surface. Cutting head 286 also includes a series of index markings 294 to determine the depth of the scraper head in tissue.--

Please see FIG. 26a for support.

Please replace the paragraph on page 27, line 25, through page 28, line 10, with the following paragraph:

--Round scraper illustrated in FIGS. 32-32f is provided for use with the present invention.

Round scraper 390 includes shaft 402 and scraper head 392. Shaft 402 defines a longitudinal axis 391. Scraper head 392 includes a first arm 393 and a second arm 395. Shaft 402 includes a tapered neck 403. First arm 393 and second arm 395 define a cavity 398 for receipt of cutting debris. Attached to first and second arm 393 and 395 are rounded scraper edges 394 and 396. First arm 393 and second arm 395 are attached to curved tip 404. Rounded scraper edges 394 and 396 are backward-facing cutting edges, which can cut bone or other tissue as the round scraper 390 is withdrawn from the disc space. Round scraper edges 394 and 396 are provided to allow simultaneous cutting on opposing surfaces of adjacent vertebral bodies. First arm 393 includes an upper surface 397 and a lower surface 400. Upper surface 397 and lower surface 400 are substantially flat. Second arm 395 includes similar structures. Upper surface 397 and/or lower surface 400 allow for controlled scaping of the disc space by contacting either the upper or lower vertebral body. Furthermore, the flat upper and lower surfaces 397 and 400 and tapered neck 403 are adapted to provide enhanced viewing of the disc space. It is important to be able to view the disc space while positioning the round scraper 390 in the disc space to remove bony tissue. Round scraper 390 is provided for preparing a bottom of the preformed cavity for proper seating of implants as depicted in the present invention.--

Please see the sentence bridging lines 30 and 31 on page 27 for support.

Please replace the paragraph on page 28; lines 18-30 with the following paragraph:

--As shown in FIG. 34, there is also provided in accordance with the present invention rotatable cutter 430. Cutter 430 includes handle 432, shaft 434, and cutter head 436. Cutter head 436 includes first cutting arm 437 and second arm 439. First cutting arm 437 and second cutting arm 439 are spaced apart and define a cavity 448 therebetween for receipt of cutting debris. First cutting arm 437 includes at least two cutting blades. For example, FIG. 34a depicts cutting arm 437 having a first cutting blade 438 and opposite second cutting blade 440. First and second cutting

Q5 blades extend longitudinally and are positioned to lie parallel to the longitudinal axis of rotatable cutter 430. Similarly, second cutting arm 439 is provided with a first cutting blade 442 and a second cutting blade 443. Rotatable cutter 430 is provided for use in a disc space to cut adjacent endplates of adjacent vertebrae by a twisting the cutter. As with other instruments, the cutting head includes index marks 441 to indicate the depth the rotatable cutter is inserted into tissue.

The reference numeral 440 has already been assigned to the second cutting blade; please see page 28, line 24.

In the Drawings:

Please amend FIG. 11 by changing the reference number "85" to --15--, as shown in red ink on the accompanying drawing sheets appended to this response.

Please amend Figure 13 by adding reference numbers 110, 111, 120 and 132 and substituting reference number --129-- for number "121" as shown in red ink on the accompanying drawing sheet appended to this Response.

Please amend Figure 14 by adding reference numbers 120, 122, 128 and 132 as shown in red ink on the accompanying drawing sheet appended to this Response.

Please amend Figure 15 by adding the reference number 132 as shown in red ink on the accompanying drawing sheet appended to this Response.

Please amend FIG. 18b by adding the reference numeral on --152-- as shown in red ink on the accompanying drawing sheet appended to this response.

Please amend FIG. 19 by changing the reference numeral "10" to --110-- and adding the reference numerals --152-- and --157-- as shown in red ink on the accompanying drawing sheet appended to this response.

Please amend FIG. 20a by adding the reference numerals --152-- and --157-- as shown in red ink on the accompanying drawing sheet appended to this response.

Please amend FIG. 22 by changing the lead line for reference numeral "216" as shown in red ink on the accompanying drawing sheet appended to this response.

Please amend FIG. 25b by changing adding the reference numeral --296-- and by changing the reference numeral "272" to --273-- as shown in red ink on the accompanying drawing sheet appended to this response.

Please amend FIG. 34a by changing the reference numeral "244" to --441-- as shown in red ink on the accompanying drawing sheet appended to this response.

Please amend FIG. 44c by renaming the figure as FIG. 46a.

Substitute drawing sheets incorporating the above-proposed amendments are also appended to this Response.

09870023 053001

A